

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41122 of 2023

Arising Out of PS. Case No.-80 Year-2021 Thana- PIYAR District- Muzaffarpur

Rinku Devi Wife of Umesh Ram At present resident of village - Mushari @ Radhanagar, P.S.- Mushari, District - Muzaffarpur though earlier she was wife of Late Ramlal Ram, Resident of village - Simra, P.S.- Pear, District - Muzaffarpur (Which is mentioned in the F.I.R.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Pear P.S. Case No. 80 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 12.05.2021 at about 07:00 P.M. when the son of the informant reached near the house of Ram Ganesh Sah, suddenly Nand Kishore Ram caught him whereafter Chunnu Ram assaulted him on his forehead with garasa and thereafter Rinku Devi (petitioner) and co-accused Lukhiya Devi also assaulted him by lathi. It is alleged that co-accused Nand Kishore Ram snatched away



Rs.10,000/- from the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the allegation against this petitioner is general and omnibus.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submissions that the present FIR has been lodged with a delay of three days, the specific allegation of causing assault on the son of the informant is against co-accused Chunnu Ram, the allegation against this petitioner is only general and omnibus in nature and the petitioner who is a female member of the family has been falsely implicated in this case which is in fact a counter blast of Pear P.S. Case No. 79 of 2021 lodged by co-accused Lukhiya Devi against Ranjit Ram and Nath Ram, the petitioner has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of her arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Pear P.S. Case No. 80 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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